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October 27, 2014

TO: The Board of Supervisors Audit Committee

FROM: Cynthia A. Harding, M.P.H.
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SUBJECT: **REVIEW OF BOARD POLICY NO. 3.115**

The Los Angeles County Department of Public Health (DPH) was asked to review Board Policy 3.115, the *County of Los Angeles Vending Machine Nutrition Policy* and provide recommended revisions to the Audit Committee. DPH recommends extending the Sunset Date by four years, and revising the policy to align with the latest nutrition science and lessons learned from current program implementation. Revisions to the nutrition policy are outlined in Attachment 1.

Board Policy 3.115 was approved by the County of Los Angeles Board of Supervisors on August 8, 2006 and has since been revised multiple times to improve implementation, clarify the policy and to require that 100% of snacks and beverages in vending machines adhere to the County policy. The nutrition policy is working to provide an environment that supports healthy eating for County employees and the public in government facilities and programs. It is currently being implemented in over 400 vending machines in over 200 locations among County of Los Angeles facilities.

We recommend the following revisions to the Vending Machine Nutrition Policy:

1. ***Limit Sodium of Snacks and Vegetable Juice:*** We recommend that all snack products must adhere to 200 mg of sodium per individual food item or package if a pre-packaged item. This sodium standard was adapted from the USDA's National School Lunch Program and School Breakfast Program, the nutrition standards for all foods sold in schools as required by the Healthy, Hunger-Free Kids Act of 2010.¹ These standards are consistent with the 2010 Dietary Guidelines for Americans, existing school nutrition standards (e.g., USDA's Healthier US School Challenge), state and local government standards such as New York City and Massachusetts, and other voluntary standards for beverages and snack foods (e.g.,

¹ Source: United States Department of Agriculture, Food and Nutrition Service, National School Lunch Program and School Breakfast Program: Nutrition standards for all foods sold in school as required by Healthy, Hunger-Free Kids Act of 2010; Interim Final Rule. *Federal Register*. June 28, 2013. Vol. 78, No. 125.

Alliance for Nutrition and Activity and the Alliance for a Healthier Generation). High salt intake can raise blood pressure which is a major risk factor for heart disease and stroke.

We also recommend that vegetable juices must contain no more than 230 mg of sodium per serving. This standard was developed by the U.S. General Services Administration (GSA) and U.S. Department of Health and Human Services (HHS) and is currently being implemented in federal level concessions and cafeterias.²

2. ***Limit Sugar Content of Snacks.*** DPH recommends gradually lowering the sugar content of all snacks sold in vending machines. Starting on January 1, 2015, snacks would be required to contain no more than 20% of calories from sugar (excluding fruits and vegetables) in County-contracted vending machines and no more than 10% of calories from sugar³ (excluding fruits and vegetables) by January 1, 2017. The current standard requires an individually sold snack to have no more than 35% sugar by weight (excluding fruits and vegetables), an outdated nutrition guideline that was developed in 2002, which allows snack foods that are high in added sugars relative to whole foods to be sold, allowing them to be identified as “healthy” or “better-for-you” snacks. DPH’s revised recommendations are aligned with leading health organizations which recommend further limiting sugar consumption to support the maintenance of a healthy weight. The USDA 2010 Dietary Guidelines for Americans (DGA) recommends that no more than 5% to 15% of our daily required calories should come from solid fats and added sugars (SOFAs).⁴ The World Health Organization recommends a maximum daily limit of 10% of total daily calorie intake to come from added sugars⁵ and the American Heart Association (AHA) recommends a maximum of 6 teaspoons (i.e., 24 grams, 96 calories) of added sugar for women and 9 teaspoons (i.e., 36 grams, 144 calories) of added sugar for men.⁶
3. ***Promote Whole Grains and Fiber.*** DPH recommends that all snack products in vending machines must contain at least 2 grams of dietary fiber per individual food item or package if a pre-packaged item, if the food item is grain/potato based. Additionally, half of all grains offered must be whole grain.⁷ According to the DGA, Americans do not consume recommended levels of dietary fiber as well as other nutrients such as potassium, calcium and Vitamin D.⁸ Studies examining the role of fiber on weight maintenance have found that

² Centers for Disease Control and Prevention. Concessions and Cafeterias: Healthful Food in the Federal Workplace. http://www.cdc.gov/salt/pdfs/dhdsp_procurement_guide_summary.pdf. Accessed on October 19, 2014.

³ Calculation: (Calories (target % calories from sugar))/4 calories per gram = total grams sugar allowed per package. Example for 10% target: (250 calorie package (target 10% calories from sugar))/4 calories per gram = 6.25 grams sugar allowed.

⁴ U.S. Department of Agriculture and Health Human Services. *Dietary Guidelines for Americans, 2010*. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010. Retrieved from: <http://health.gov/dietaryguidelines/dga2010/dietaryguidelines2010.pdf>

⁵ World Health Organization. WHO Technical Report Series: Diet, Nutrition and The Prevention of Chronic Diseases. http://whqlibdoc.who.int/trs/WHO_TRS_916.pdf?ua=1 Accessed on October 20, 2014

⁶ Johnson, R. K., Appel, L. J., Brands, M., Howard, B. V., Lefevre, M., Lustig, R. H.,... Wylie-Rosett, J. (2009). Dietary sugars intake and cardiovascular health: A scientific statement from the American Heart Association. *Circulation*, 120: 1011-1020. doi: 10.1161/circulationaha.109.192627

⁷ Grain-based foods are considered whole grain when the first ingredient listed on the ingredient list is a whole grain. Whole grain ingredients include brown rice, buckwheat, bulgur, millet, oatmeal, quinoa, rolled oats, whole-grain barley, whole-grain corn, whole-grain sorghum, whole-grain triticale, whole oats, whole rye, whole wheat, and wild rice.

⁸ U.S. Department of Health and Human Services and U.S. Department of Agriculture. *Dietary Guidelines for Americans, 2010*. <http://www.cnpp.usda.gov/DGAs2010-DGACReport.htm>. Accessed October 17, 2014.

higher fiber intake is associated with lower energy intake, which promotes weight loss.⁹ Additionally, DGA also recommends that half of all grain intake should be whole grain. Whole grain intake is associated with reduced risk of cardiovascular disease and Type 2 diabetes.¹⁰

4. ***Eliminate Hydrogenated and Partially Hydrogenated Oils.*** DPH recommends that all snack products do not contain trans fats added during processing (hydrogenated oils and partially hydrogenated oils).¹¹ The DGA recommends limiting trans fat intake as low as possible. Hydrogenated and partially hydrogenated oils are major sources of trans fatty acids. Trans fats increase your risk of heart disease by raising “bad” (LDL) cholesterol.
5. ***Product Placement and Promotion.*** DPH recommends the implementation of effective promotional and placement strategies to increase the purchase of healthier beverages and snacks. These strategies are based on marketing strategies of the food industry. Evidence shows that food environments can be designed to encourage consumers to select healthier food options including strategies to improve visibility and convenience.¹² Healthy option items should be positioned prominently including the display of all bottled water in eye-level sections or in the highest selling position of the beverage vending machines. Additionally, all vending machines should be required to post calorie information for each beverage.^{13,14} Only food and beverage products that meet the County of Los Angeles Vending Machine Nutrition Policy shall be advertised on snack and beverage vending machines and the department would encourage the display of *Choose Health LA* signage that promotes healthy food and beverage options on all vending machines. Signage would be provided by the Department of Public Health.

In 2013, DPH integrated promotional strategies within the Chief Executive Office’s vending machine food service contract, one of the first County departments to implement the vending guidelines. As a result, the majority of beverage vending machines are now promoting water, which is advertised on the outside of the beverage machines and also display DPH’s *Choose Health LA* logo that promotes healthier options to consumers.

In addition to making revisions to the nutrition guidelines, DPH also recommends that Board Policy 3.115 include language on vendor and departmental cooperation to help assess adherence to the County’s vending machine nutrition policy. DPH has the capacity to periodically monitor the implementation of the policy by collecting data (e.g. food production, sales records, nutritional analysis) to assess the nutritional content of foods and beverages and show consumption trends and report back to the Board of Supervisors annually.

⁹ Howarth, N.C., Saltzman, E., & Roberts, S. B. (2001). Dietary fiber and weight regulation. *Nutrition Reviews*, 59:129-139.

¹⁰ U.S. Department of Health and Human Services and U.S. Department of Agriculture. *Dietary Guidelines for Americans*, 2010. <http://www.cnpp.usda.gov/DGAs2010-DGACReport.htm>. Accessed October 17, 2014.

¹¹ Hydrogenated and partially hydrogenated oils should not be included in the product ingredient list.

¹² Hanks AS, Just DR, Wansink B (2013). Smarter lunchrooms can address new school lunchroom guidelines and childhood obesity. *J Pediatr* 162(4), 867-9. doi: 10.1016/j.jpeds.2012.12.031. Epub 2013 Feb 22.

¹³ Nemours Health & Prevention Services. Healthy Vending Machine Guide.

<http://www.nemours.org/content/dam/nemours/www/filebox/service/preventive/nhps/resource/healthyvending.pdf>. Accessed on October 19, 2014

¹⁴ New York City Department of Health and Mental Hygiene. New York City Agency Standards: Beverage Vending Machines.

<http://www.nyc.gov/html/doh/downloads/pdf/cardio/cardio-vending-machines-bev-standards.pdf>. Accessed on October 23, 2014

Please let us know if you have any questions or would like to discuss these revisions to the nutrition policy in greater detail.

CAH:mw

Attachment

c: Sachi A. Hamai
Jeffrey Gunzenhauser, M.D., M.P.H.
Health Deputies



Los Angeles County **BOARD OF SUPERVISORS POLICY MANUAL**

Attachment 1

Policy #:	Title:	Effective Date:
3.115	County of Los Angeles Vending Machine Nutrition Policy	8/8/2006

PURPOSE

Obesity rates are rising in the county among both children and adults. Obesity and poor nutrition are among the leading causes of chronic disease, including type 2 diabetes, heart disease, stroke, and cancer, and are major drivers of the escalating health care costs. The abundance of inexpensive low-nutrient, calorie-dense food and beverages in community and work environments are important contributors to unhealthy dietary practices. The purpose of the County of Los Angeles Vending Machine Nutrition Policy is to encourage healthier diets by increasing access to healthy food and beverages and reducing access to unhealthy food and beverage options for County employees and the public at County facilities.

REFERENCE

August 8, 2006, [Board Order 25](#)

February 17, 2009, [Board Order 6](#)

August 18, 2009, [Board Order 2](#)

POLICY

This policy would affect County-contracted vending machine suppliers by requiring them to change the products they offer to meet County of Los Angeles Vending Machine Nutrition Policy guidelines in all County facilities and offices, except where exempted by the Board of Supervisors. This policy as it exists now or may exist in the future will apply to all new vending machine agreements as well as any new amendments to existing vending contracts. It is anticipated that County employees who purchase items from vending machines, will be positively impacted by the policy by having a broad range of healthier foods and beverages from which to choose. County of Los Angeles Vending Machine Nutrition Policy guidelines are listed below. A list of examples of foods and beverages that comply with these guidelines are available upon request from the Department of Public Health (DPH). DPH is asked to periodically monitor the implementation and impact of the policy by collecting data (e.g. food production, sales records, nutritional analysis) to assess the nutritional content of foods and beverages and show consumption trends. DPH will report back to the Board of Supervisors annually.

All snacks and beverages sold in County-contracted vending machines must adhere to the following nutrition guidelines:

Snacks in Vending Machines

~~An individually sold snack that has no more than:~~

Snack vending machines shall offer foods that meet the following guidelines:

- a) No more than 35% of its calories from fat (excluding legumes, nuts, nut butters, seeds, eggs, non-fried vegetables, and cheese packaged for individual sale)
- b) No more than 10% of its calories from saturated fat (excluding eggs and cheese packaged for individual sale)
- c) ~~35% sugar by weight (excluding fruits and vegetables)~~ No more than 20% of calories from sugar (excluding fruits and vegetables)¹
- d) No more than 250 calories per individual food item or package if a pre-packaged item
- e) ~~360~~ No more than 200 mg of sodium per individual food item or package if a pre-packaged item
- f) Does not contain trans fats added during processing (hydrogenated oils and partially hydrogenated oils)²
- g) At least 2 grams of dietary fiber per individual food item or package if a pre-packaged item, if the food item is grain/potato based
- h) Half of all grains offered must be whole grain³

~~Beverages in Vending Machines shall offer only:~~

- a) Drinking water (including carbonated water products)
- b) Fruit-based drinks that are at least 50 percent fruit juice without added sweeteners
- c) Vegetable-based drinks that are at least 50 percent vegetable juice without added sweeteners and no more than 230 mg of sodium per serving
- d) Milk products, including two-percent, one-percent, nonfat, soy, rice and other similar non-dairy milk without added sweeteners
- e) Sugar sweetened or artificially sweetened beverages that do not exceed 25 calories per 8 ounces⁴

Product Placement, Pricing and Promotion

- a) Vending machines with beverages should include bottled water as an option. The price of the bottled water should be no higher than the prices of the other beverage options in the vending machine.
- b) Display all bottled water in eye-level sections or in the highest selling position of the beverage vending machines.
- c) All vending machines are required to post calorie information for each beverage, as packaged.

¹ Vending machines are required to meet this requirement by January 1, 2015; no more than 10% of calories from sugar (excluding fruits and vegetables) to be implemented by January 1, 2017.

² Hydrogenated and partially hydrogenated oils should not be included in the product ingredient list.

³ Grain-based foods are considered whole grain when the first ingredient listed on the ingredient list is a whole grain. Whole grain ingredients include brown rice, buckwheat, bulgur, millet, oatmeal, quinoa, rolled oats, whole-grain barley, whole-grain corn, whole-grain sorghum, whole-grain triticale, whole oats, whole rye, whole wheat, and wild rice.

⁴ Fresh coffee and tea dispensed from the vending machines are exempted.

- d) Only beverage products that meet the County of Los Angeles Vending Machine Nutrition Policy shall be advertised on snack and beverage vending machines.

RESPONSIBLE DEPARTMENT

Department of Public Health

DATE ISSUED/SUNSET DATE

Issue Date: August 6, 2006

Review Date: October 21, 2010

Review Date: October 27, 2014

Sunset Date: August 6, 2010

Sunset Date: October 21, 2014

Sunset Date: October 21, 2018